

Testimony of Susan B. Anthony Project  
**IN SUPPORT OF SB 918 AN ACT CONCERNING THE SEXUAL ASSAULT OF  
PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS  
SUBSTANTIALLY IMPAIRED**

Mary DeLucia, Sexual Assault Adult Advocate  
Judiciary Committee, February 23, 2011

Senator Coleman, Representative Fox, and members of the Judiciary Committee, my name is Mary DeLucia and I am the sexual assault adult advocate at Susan B. Anthony Project. Susan B. Anthony Project is a crisis counseling and advocacy center for survivors of sexual assault and domestic violence for the Litchfield county area. I am writing in support of SB 918 AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS SUBSTANTIALLY IMPAIRED.

Sexual assault is a crime of power and control; it is not about sex at all, but about forcing or coercing someone to give up their power over their own body. Generally, sexual assault offenders use either physical violence or threat of physical violence to the victim or someone the victim cares for in order to make them give up their power. This potential physical harm is enough to prevent a victim from fighting off their attacker. By saying it is not sexual assault if the victim does not fight back is blaming the victim for the sexual assault. SEXUAL ASSAULT IS NEVER THE VICTIM'S FAULT. It is unacceptable to allow the offender to be vindicated with this heinous crime simply by saying it was a consensual act because the victim did not try to get away.

I started my job as an advocate for Susan B. Anthony Project in March 2009, and I have had both clients with and without disabilities and the majority - if not all - of them did not fight their attacker. If a victim is being raped and they try to combat against their attacker, will the attacker just back off or overpower their victim's struggles? Sexual assault is a crime of power and control, so if a victim tries to fight back the victim will most likely just be overpowered by the attacker and may even end up with worse injuries. A sexual assault offender wants control over the victim regardless of fighting back or not. In many cases it may actually be safer for the victim to refrain from fighting their attacker.

There are numerous reasons why a victim's ability to give consent can be impaired. One is being too intoxicated; it is common for sexual assault offenders to use drugs and/ or alcohol to drug their victims because while heavily intoxicated they are more willing to letting the sexual assault happen. Offenders use Rohypnol and Gamma-hydroxybutyric acid (GHB) to mix in their victims' drinks because they only stay in the blood system for hours, and they are tasteless that also leave the drinks looking normal. These drugs and drugs like them make the victim black out and not know what is going on around them, making them a very easy target for the sexual assault offender.

Another reason a victim's ability to give consent can be impaired is a mental disability; even a minor disability can make a victim not fully understand what is going on. A

disability can be mental or physical and can cause a victim of sexual assault to be even more afraid of the attack. As an advocate I have had clients with mental and/ or physical disabilities and the offender uses their victim's disability to assert power over them. With any physical disability the thought of having to fight off someone who is sexually assaulting you sounds impossible, and most physically disabled victims are afraid they are too weak to fight back - so they don't. Since sexual assault is a crime specifically about power and control, it makes sense that an offender may go after a victim that is disabled, thinking that they are weak enough to overpower. An offender may also use a victim's mental disability as a weapon to confuse them into complying with the abuse. Sexual assault is always the offender's fault. The offender overpowers their victim anyway they can. Through physical strength or manipulations their goal is to take the victim's power away; the victim is never in control of an assault.

To conclude, I strongly urge the committee to support SB 918. Because of the nature of sexual assault being a crime where the offender needs to take their victim's power and control away from them, all victims are physically helpless in that they are afraid to fight their attacker. With that said it is also common for the offender to use various tactics mentioned above on the victim to confuse them and make them more susceptible to the sexual abuse. Maybe by passing this bill we can help stop the victim blaming in this terrible crime of sexual assault and empower victims to have the strength to come forward and report the crime. We need to acknowledge that victims of sexual assault do what they need to in order to survive the attack. They are survivors who have overcome a physically helpless situation.

Thank you for taking the time to read this.

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